

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

BASHIR HASSAN KULMIYE,
a/k/a "Bashir Sheikh
Hassan Kulmiye,"
a/k/a "Bashir Hasan
Kulmiye,"
a/k/a "Bashir Yare,"
a/k/a "Bashir Abdullahi
Yare,"
a/k/a "Bashir Abdi Yare,"
a/k/a "Bashko,"

Defendant.

- - - - - X

INDICTMENT

22 Cr.

22 CRIM 580

COUNT ONE

(Conspiracy to Provide Material Support for Acts of Terrorism)

The Grand Jury charges:

1. From in or about January 2012, up to and including in or about September 2014, in Somalia and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, BASHIR HASSAN KULMIYE, a/k/a "Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir Abdi Yare," a/k/a "Bashko," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly and intentionally combined,

conspired, confederated, and agreed together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), namely, property, services, lodging, safehouses, weapons, and personnel (including himself), knowing and intending that they were to be used in preparation for, and in carrying out, one or more of the following violations of Title 18, United States Code: (a) taking hostage a national of the United States, in violation of Title 18, United States Code, Section 1203(a); and (b) threatening to use a weapon of mass destruction, to wit, a destructive device, against a national of the United States, in violation of Title 18, United States Code, Section 2332a(a).

(Title 18, United States Code, Sections 2339A and 3238.)

COUNT TWO

(Provision of Material Support for Acts of Terrorism)

The Grand Jury further charges:

2. From in or about January 2012, up to and including in or about September 2014, in Somalia and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, BASHIR HASSAN KULMIYE, a/k/a "Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir Abdi Yare," a/k/a "Bashko," the defendant, who was first brought

to and arrested in the Southern District of New York, knowingly and intentionally provided and attempted to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), namely, property, services, lodging, safehouses, weapons, and personnel (including himself), knowing and intending that they were to be used in preparation for, and in carrying out, one or more of the following violations of Title 18, United States Code: (a) taking hostage a national of the United States, in violation of Title 18, United States Code, Section 1203(a); and (b) threatening to use a weapon of mass destruction, to wit, a destructive device, against a national of the United States, in violation of Title 18, United States Code, Section 2332a(a).

(Title 18, United States Code, Sections 2339A, 2, and 3238.)

COUNT THREE
(Hostage-Taking Conspiracy)

The Grand Jury further charges:

3. From in or about January 2012, up to and including in or about September 2014, in Somalia and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, BASHIR HASSAN KULMIYE, a/k/a "Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir

Abdi Yare," a/k/a "Bashko," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly and intentionally combined, conspired, confederated, and agreed together and with each other to seize, detain, and threaten to kill, injure, and continue to detain another person, namely, a national of the United States ("U.S. Victim-1"), in order to compel a third person and a governmental organization to do and abstain from doing an act as an explicit and implicit condition for the release of the person detained, to wit, the defendant conspired with others to abduct, hold hostage, and threaten to kill, injure, and continue to detain U.S. Victim-1 in order to compel family members of U.S. Victim-1 and the governments of the United States and another country to pay a ransom.

(Title 18, United States Code, Sections 1203(a), 1203(b)(1), and 3238.)

COUNT FOUR
(Hostage-Taking)

The Grand Jury further charges:

4. From in or about January 2012, up to and including in or about September 2014, in Somalia and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, BASHIR HASSAN KULMIYE, a/k/a

"Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir Abdi Yare," a/k/a "Bashko," the defendant, who was first brought to and arrested in the Southern District of New York, knowingly and intentionally seized, detained, and threatened to kill, injure, and continue to detain another person, namely, U.S. Victim-1, and aided and abetted the same, in order to compel a third person and a governmental organization to do and abstain from doing an act as an explicit and implicit condition for the release of the person detained, to wit, the defendant and others abducted, held hostage, and threatened to kill, injure, and continue to detain U.S. Victim-1 in order to compel family members of U.S. Victim-1 and the governments of the United States and another country to pay a ransom.

(Title 18, United States Code, Sections 1203(a), 1203(b)(1), 2, and 3238.)

COUNT FIVE

(Threatening a U.S. National with a Weapon of Mass Destruction)

The Grand Jury further charges:

5. From in or about January 2012, up to and including in or about September 2014, in Somalia and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, BASHIR HASSAN KULMIYE, a/k/a

"Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir Abdi Yare," a/k/a "Bashko," the defendant, who was first brought to and arrested in the Southern District of New York, knowingly, intentionally, and without lawful authority threatened to use a weapon of mass destruction against a national of the United States while such national was outside of the United States, and aided and abetted the same, to wit, the defendant and others threatened U.S. Victim-1 with rifle-mounted grenades and grenade launchers while U.S. Victim-1 was being held hostage in Somalia.

(Title 18, United States Code, Sections 2332a(a), 2, and 3238.)

FORFEITURE ALLEGATIONS

6. As a result of planning and perpetrating Federal crimes of terrorism against the United States, as alleged in Counts One through Five of this Indictment, BASHIR HASSAN KULMIYE, a/k/a "Bashir Sheikh Hassan Kulmiye," a/k/a "Bashir Hasan Kulmiye," a/k/a "Bashir Yare," a/k/a "Bashir Abdullahi Yare," a/k/a "Bashir Abdi Yare," a/k/a "Bashko," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(G) and 2332b(g)(5), and Title 28, United States Code, Section 2461(c), any and all assets, foreign and domestic, of the defendant; any and all assets, foreign and domestic, affording the defendant a source of influence over any entity or organization

engaged in planning or perpetrating said offenses; any and all assets, foreign and domestic, acquired or maintained with the intent and for the purpose of supporting, planning, conducting or concealing said offenses; any and all assets, foreign and domestic, derived from, involved in, or used or intended to be used to commit said offenses, including but not limited to a sum of money in United States currency representing the total amount of the defendant's assets.

Substitute Assets Provision

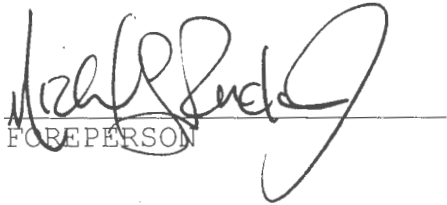
7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Sections 853(p), and Title 28, United States Code,

Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendant.

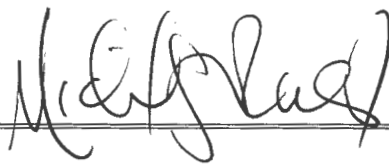
INDICTMENT

(18 U.S.C. §§ 2339A, 1203, 2332a, 2, and
3238.)

DAMIAN WILLIAMS

United States Attorney.

A TRUE BILL



Foreperson.

TRUE BILL, INDICTMENT

UNITED STATES DISTRICT COURT

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